

# **SCHEDULE**

# **A**

**SCHEDULE A**

**AUTHORITY FOR THE TAKING**

The property is taken under and in accordance with 40 U.S.C. §§ 3113 and 3114, which authorize the condemnation of land and the filing of a Declaration of Taking; the Act of Congress approved September 30, 1996, as Public Law 104-208, Division C, Section 102, 110 Stat. 3009-546, 3009-554-55, as amended and codified at 8 U.S.C. § 1103(b) & note; and the Act of Congress approved February 15, 2019, as Public Law 116-6, div. A, tit. II, Section 230, 133 Stat. 13, which appropriated the funds that shall be used for the taking.

# **SCHEDULE**

# **B**

**SCHEDULE B**

**PUBLIC PURPOSE**

The public purpose for which said property is taken is to construct, install, operate, and maintain roads, fencing, vehicle barriers, security lighting, cameras, sensors, and related structures designed to help secure the United States/Mexico border within the State of Texas.

# **SCHEDULE**

# **C**

## **SCHEDULE C**

### **LEGAL DESCRIPTION**

Hidalgo County, Texas

Tract: RGV-MCS-1103

Owner: Unknown Heirs of Gilberto Flores, *et al.*

Acre: 0.072

**Being** a 0.072 of one acre (3,134 square feet) parcel of land, more or less, being out of the Antonio Villareal Survey, Abstract No. 587 and the Jose Antonio Castañeda Survey, Abstract No. 589, Hidalgo County, Texas, being out of Porciones 39 and 40 and being out of a called 15.12 acre tract designated as Tract 336 conveyed to Maria Dolores Pena de Flores as shown on the Map of Porciones 38, 39 and 40 recorded in Volume 4, Page 17, Deed Records of Hidalgo County, Texas (Cause No. 2444, said parcel of land being more particularly described by metes and bounds as follows;

**Beginning** at a found 5/8" rebar for the southwest corner of Tract RGV-MCS-1103, said point being at the southwest corner of Tract 336 and a southeasterly exterior corner of the remainder of a called 125.36 acre tract designated as Tract 331 on the Map of Porciones 38, 39 and 40 recorded in Volume 4, Page 17, Deed Records of Hidalgo County, Texas (Cause No. 2444, said point being in the north line of a called 60.9034 acre tract conveyed to the United States of America by Warranty Deed recorded in Instrument No. 1998-663480, Official Records of Hidalgo County, Texas (Parcel 2 and the north line of Tract 337 as shown on the Map of Porciones 38, 39 and 40 recorded in Volume 4, Page 17, Deed Records of Hidalgo County, Texas (Cause No. 2444, said point having the coordinates of N=16613867.785, E=961783.483, said point bears S 29°04'20" E, a distance of 8320.46' from United States Army Corps of Engineers Control Point No. 305;

**Thence:** N 09°13'13" E (S 09°33'30" W, Record, departing the north line of the 60.9034 acre tract and the north line of Tract 337, with the west line of Tract 336 and the east line of Tract 331, for a distance of 39.49' to a set 5/8" rebar with an MDS LAND SURVEYING aluminum disk capped survey marker stamped with the following description: "RGV-MCS-1103-2=1116-8" for the northwest corner of Tract RGV-MCS-1103, said point being in the west line of Tract 336 and the east line of Tract 331;

**Thence:** S 66°28'46" E, departing the east line of Tract 331, over and across Tract 336, passing at 135.02' the east line of Porcion 39 and the west line of Porcion 40, continuing for a total distance of 163.81' to a set 5/8" rebar with an MDS LAND SURVEYING aluminum disk capped survey marker stamped with the following description: "RGV-MCS-1100-5-6=1103-3" for the east corner of Tract RGV-MCS-1103, said point being in the south line of Tract 336, the north line of Tract 337 and the north line of the 60.9034 acre tract;

**SCHEDULE C (Cont.)**

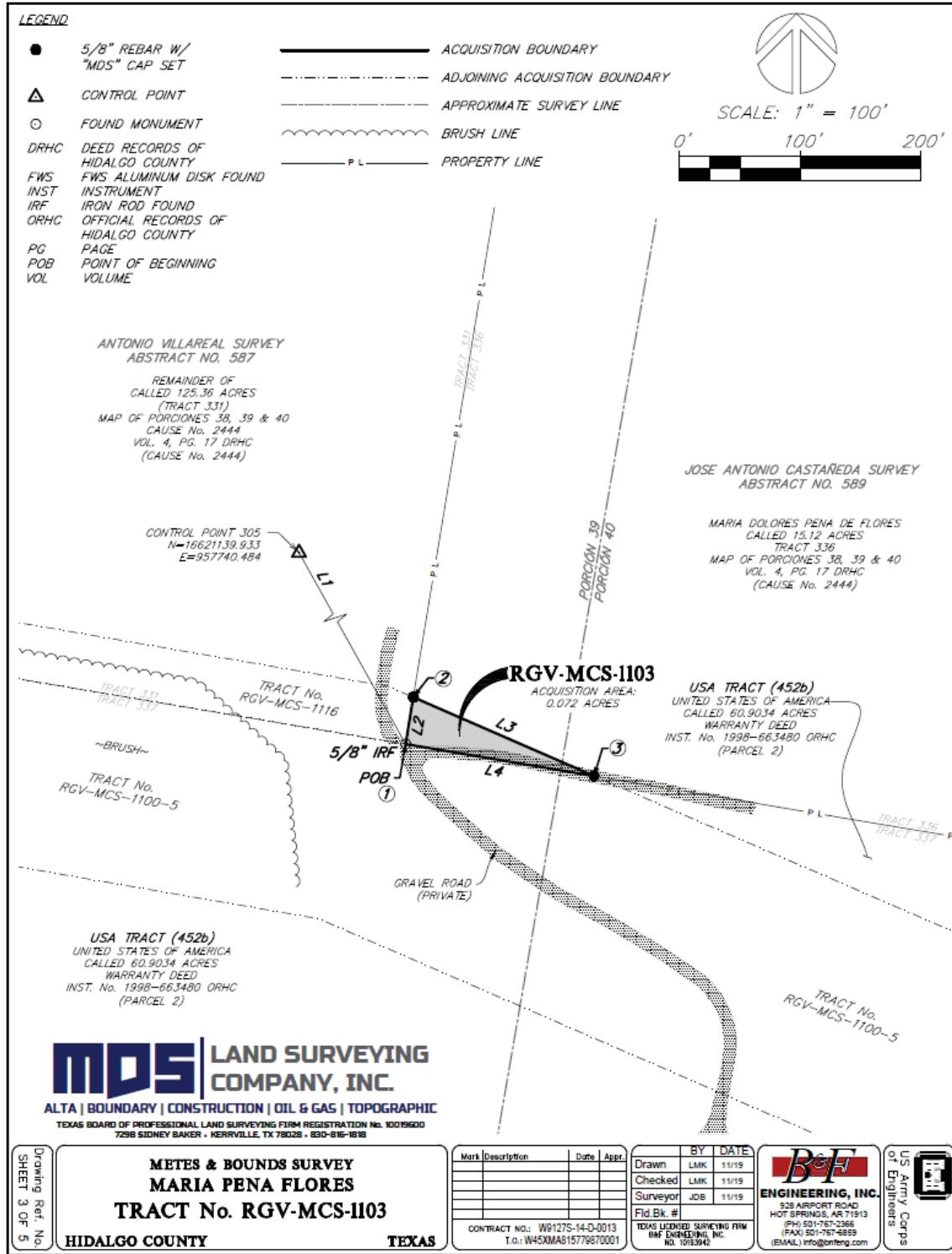
**Thence:** N 80°25'44" W (N 80°26'30" W, Record), with the south line of Tract 336, the north line of Tract 337 and the north line of the 60.9034 acre tract, passing at 27.97' the west line of Porción 40 and the east line of Porción 39, continuing for a total distance of 158.74' to the **Point of Beginning**.

**Note:** All bearings, distances and coordinates are referenced to the Texas State Plane Coordinate System, South Zone grid (SPCS 4205) NAD'83. Values may be converted to ground values using a combined scale factor of 1.000040000.

Prepared Date 11/8/2019

# **SCHEDULE**

# **D**

**SCHEDULE D****MAP or PLAT****LAND TO BE CONDEMNED**

**SCHEDULE D (Cont.)**

<input checked="" type="checkbox"/> MARIA PENA DE FLORES & FLORENTINO FLORES CALLED 0.78 ACRE WARRANTY DEED INST. No. 1942-19847 DRHC (TRACT 335)	<input checked="" type="checkbox"/> FLORENTINO FLORES & MARIA PENA DE FLORES CALLED 0.78 ACRE WARRANTY DEED INST. No. 1943-22657 DRHC (TRACT 334)	<input checked="" type="checkbox"/> RENE FLORES CALLED 0.78 ACRE TRACT 333 MAP OF PORCIONES 38, 39 & 40 CAUSE No. 2444 VOL. 4, PG. 17 DRHC (CAUSE No. 2444)
<input checked="" type="checkbox"/> 4 INTANT FLORES CALLED 0.78 ACRE TRACT 332 MAP OF PORCIONES 38, 39 & 40 CAUSE No. 2444 VOL. 4, PG. 17 DRHC (CAUSE No. 2444)	<input checked="" type="checkbox"/> 5 ADOLFO BALLI OR PEARL C. BALLI, TRUSTEES OF THE ADOLFO BALLI & PEARL BALLI LIVING TRUST WARRANTY DEED INST. No. 2000-920052 DRHC (TRACT IV: TRACT 338)	<input checked="" type="checkbox"/> 6 ADOLFO BALLI OR PEARL C. BALLI, TRUSTEES OF THE ADOLFO BALLI & PEARL BALLI LIVING TRUST WARRANTY DEED INST. No. 2000-920052 DRHC (TRACT II: TRACT 339)
<input checked="" type="checkbox"/> USA TRACT (452c) UNITED STATES OF AMERICA CALLED 181.82 ACRES WARRANTY DEED INST. No. 1998-663480 DRHC (PARCEL 5)	<input checked="" type="checkbox"/> VILLAGE OF LOS EBANOS CALLED 111.14 ACRES TRACT 340 MAP OF PORCIONES 38, 39 & 40 VOL. 4, PG. 17 DRHC (CAUSE No. 2444)	<input checked="" type="checkbox"/> CALLED 5.56 ACRES TRACT 340 MAP OF PORCIONES 38, 39 & 40 VOL. 4, PG. 17 DRHC (CAUSE No. 2444)

LINE	BEARING	DISTANCE	REC-BEARING	REC-DISTANCE
L1	S 29°04'20" E	8320.46'	N/A	N/A
L2	N 09°13'13" E	39.49'	S 09°33'30" W	N/A
L3	S 66°28'46" E	163.81'	N/A	N/A
L4	N 80°25'44" W	158.74'	N 80°26'30" W	N/A

COORDINATE TABLE

MONUMENT No.	NORTHING	EASTING	MONUMENT NAME
1	16613867.785	961783.483	RGV-MCS-1103-1=1116-1
2	16613906.764	961789.810	RGV-MCS-1103-2=1116-8
3	16613841.392	961940.009	RGV-MCS-1100-5-6=1103-3

NOTES:

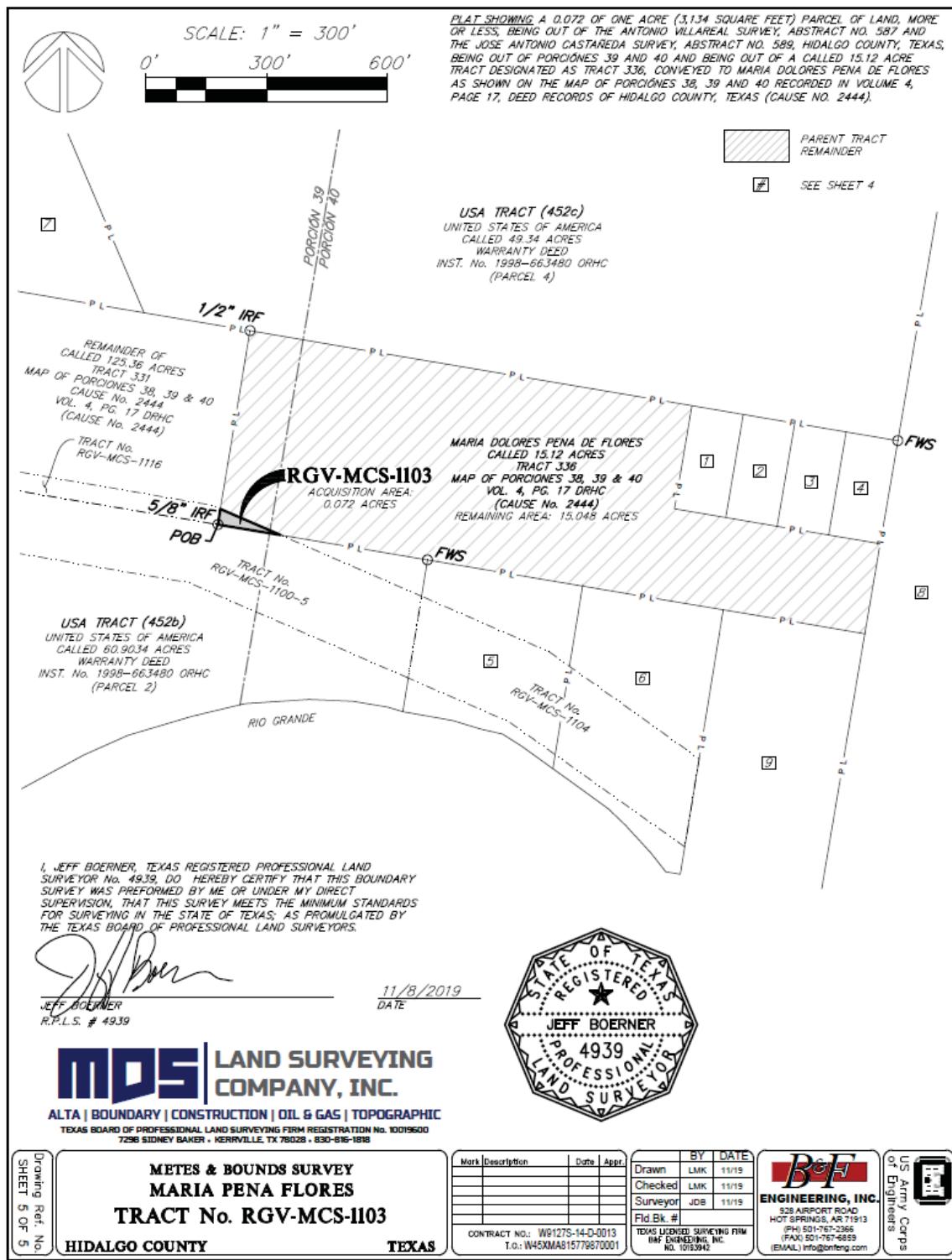
1. THE BEARINGS, DISTANCES, AND COORDINATE VALUES SHOWN HEREON ARE BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, REFERENCED TO NAD83(2011), TX SOUTH ZONE (4205), US SURVEY FEET, USING THE CORS(2011) ADJUSTMENT. THE DISTANCES AND COORDINATES SHOWN HEREON ARE GRID VALUES AND MAY BE CONVERTED TO GROUND (SURFACE) USING THE TXDOT COUNTY PUBLISHED COMBINED SCALE FACTOR OF 1.000040000 (E.G. GRID X 1.000040000 = SURFACE).
2. A SEPARATE METES AND BOUNDS DESCRIPTION OF EQUAL DATE WAS WRITTEN IN CONJUNCTION WITH THIS SURVEY PLAT.
3. THE SQUARE FOOTAGE TOTAL RECORDED HEREIN IS BASED ON MATHEMATICAL CALCULATIONS AND SUBJECT TO THE RULES OF ROUNDING AND SIGNIFICANT NUMBERS.
4. THE REMAINING ACREAGE OF THE PARENT TRACT WAS CALCULATED FROM THE RECORDED INSTRUMENTS AND IS NOT BASED ON FIELD DIMENSIONS.
5. FIELD SURVEY COMPLETED 08/20/2019.
6. THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A TITLE COMMITMENT.
7. MDS LAND SURVEYING COMPANY, INC. HAS PROVIDED THESE SURVEY SERVICES TO THE CORPS OF ENGINEERS AS A SUBCONSULTANT TO B&F ENGINEERING, INC., THE PRIME CONSULTANT. THE CORPS' CONTRACTING OFFICER'S REPRESENTATIVE IS STEPHEN CORLEY, RPLS (817) 886-1143.

**MDS** | LAND SURVEYING  
COMPANY, INC.

ALTA | BOUNDARY | CONSTRUCTION | OIL & GAS | TOPOGRAPHIC  
TEXAS BOARD OF PROFESSIONAL LAND SURVEYING FIRM REGISTRATION No. 10019600  
7258 SONEY BAKER • KERRVILLE, TX 78028 • 830-816-1818

Drawing Ref. No. SHEET 4 OF 5	<p><b>METES &amp; BOUNDS SURVEY MARIA PENA FLORES TRACT No. RGV-MCS-1103 HIDALGO COUNTY TEXAS</b></p>	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 10%;">Mark</td> <td style="width: 40%;">Description</td> <td style="width: 10%;">Date</td> <td style="width: 10%;">Appr.</td> <td style="width: 10%;">BY</td> <td style="width: 10%;">DATE</td> </tr> <tr> <td>Drawn</td> <td>LMK</td> <td colspan="4">11/19</td> </tr> <tr> <td>Checked</td> <td>LMK</td> <td colspan="4">11/19</td> </tr> <tr> <td>Surveyor</td> <td>JDB</td> <td colspan="4">11/19</td> </tr> <tr> <td>Fld. Blk. #</td> <td colspan="5">1045</td> </tr> <tr> <td colspan="6">CONTRACT NO.: W9127S-14-D-0013 T.O.: W45XMA815779870001</td> </tr> <tr> <td colspan="6">TEXAS LICENSED SURVEYING FIRM B&amp;F ENGINEERING, INC. 223 AIRPORT ROAD HOT SPRINGS, AR 71913 (PH) 501-767-2366 (FAX) 501-767-5859 (EMAIL) info@bfeinc.com</td> </tr> <tr> <td colspan="6" style="text-align: right;">    </td> </tr> </table>	Mark	Description	Date	Appr.	BY	DATE	Drawn	LMK	11/19				Checked	LMK	11/19				Surveyor	JDB	11/19				Fld. Blk. #	1045					CONTRACT NO.: W9127S-14-D-0013 T.O.: W45XMA815779870001						TEXAS LICENSED SURVEYING FIRM B&F ENGINEERING, INC. 223 AIRPORT ROAD HOT SPRINGS, AR 71913 (PH) 501-767-2366 (FAX) 501-767-5859 (EMAIL) info@bfeinc.com						 					
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**SCHEDULE D (Cont.)**



TRACT: RGV-MCS-1103

Tract: RGV MCS 1105  
Owner: Unknown Heirs of Gilberto Flores, *et al.*  
Acreage: 0.072

Mark	Description	Date	Appr.
			Drawn LMK 11/19
			Checked LMK 11/19
			Surveyor JDS 11/19
			Fld. Blk. #

CONTRACT NO.: W91275-14-D-0013

TEXAS AUTHORIZED SURVEYING FIRM



# **SCHEDULE**

# **E**

**SCHEDULE E**

**ESTATE TAKEN**

Hidalgo County, Texas

Tract: RGV-MCS-1103

Owner: Unknown Heirs of Gilberto Flores, *et al.*

Acre: 0.072

The estate taken is fee simple, subject to existing easements for public roads and highways, public utilities, railroads, and pipelines; and subject to all interests in minerals and appurtenant rights for exploration, development, production and removal of said minerals;

Excepting and excluding all interests in water rights and water distribution and drainage systems, if any, provided that any surface rights arising from such water rights or systems are subordinated to the United States' construction, operation, and maintenance of the border barrier.

# **SCHEDULE**

# **F**

**SCHEDULE F**

**ESTIMATE OF JUST COMPENSATION**

The sum estimated as just compensation for the land being taken is THREE HUNDRED AND SIXTY-FIVE DOLLARS AND NO/100 CENTS (\$365.00), to be deposited herewith in the Registry of the Court for the use and benefit of the persons entitled thereto.

# **SCHEDULE**

# **G**

**SCHEDULE G****INTERESTED PARTIES**

The following table identifies all persons who have or claim an interest in the property condemned and whose names are now known, indicating the nature of each person's property interest(s) as indicated by references in the public records and any other information available to the United States. *See Fed. R. Civ. P. 71.1(c).*

Interested Party	Reference
<b>Unknown Heirs and/or Devisees of Gilberto Flores</b> Address unknown	<b>RGV-MCS-1103</b> Special Warranty Deed, Document #1979-00026268 Recorded August 21, 1979 Official Records of Hidalgo County
<b>Keith Allen Brandenburg</b> [REDACTED] Salem, Illinois 62881 <i>Heir of Maria Dolores Pena de Flores</i>	<b>RGV-MCS-1103</b> Deed of Partition, Document #1922-1460028; Page 94, Share 243 Recorded December 12, 1922 Official Records of Hidalgo County;
<b>Lea Brandenburg</b> [REDACTED] McAllen, Texas 78501 <i>Heir of Maria Dolores Pena de Flores</i>	Special Warranty Deed, Document #1979-00026268 Recorded August 21, 1979 Official Records of Hidalgo County;
<b>Ernestina F. Campos</b> [REDACTED] Sullivan City, Texas 78595 <i>Heir of Maria Dolores Pena de Flores</i>	Civil Action: 7:08-cv-206; <i>United States v. 1.22 Acres of Land</i> , et al., pending in the United States District Court for the Southern District of Texas—McAllen Division
<b>Norma Linda Cardenas</b> [REDACTED] Mission, Texas 78574 <i>Heir of Maria Dolores Pena de Flores</i>	
<b>Hermelinda F. Garza</b> [REDACTED] Los Ebanos, Texas 78565 <i>Heir of Maria Dolores Pena de Flores</i>	
<b>Irma F. Luna</b> [REDACTED] Los Ebanos, Texas 78565 <i>Heir of Maria Dolores Pena de Flores</i>	

**Arminda Minerva F. Munoz**

[REDACTED]  
Sullivan City, Texas 78595  
*Heir of Maria Dolores Pena de Flores*

**Elizabeth F. Salinas**

[REDACTED]  
Los Ebanos, Texas 78565  
*Heir of Maria Dolores Pena de Flores*

**San Juana Alicia Flores**

[REDACTED]  
Sullivan City, Texas 78595  
*Heir of Maria Dolores Pena de Flores*

**Arnoldo Flores**

[REDACTED]  
Zapata, Texas 78076  
*Heir of Maria Dolores Pena de Flores*

**Roel Flores**

[REDACTED]  
Edinburg, Texas 78540  
*Heir of Maria Dolores Pena de Flores*

**Florentino Flores**

[REDACTED]  
Los Ebanos, Texas 78565  
*Heir of Maria Dolores Pena de Flores*

**Arnulfo Flores**

[REDACTED]  
Sullivan City, Texas 78595  
*Heir of Maria Dolores Pena de Flores*

**Guadalupe Flores**

[REDACTED] [REDACTED]  
Fort Worth, Texas 76110  
*Heir of Maria Dolores Pena de Flores*

**Roberto Flores**

[REDACTED]  
Los Ebanos, Texas 78565  
*Heir of Maria Dolores Pena de Flores*

**Hector Flores**

[REDACTED]  
Mission, Texas 78574

*Heir of Maria Dolores Pena de Flores*

**Gilberto Flores**

[REDACTED]  
Sullivan City, Texas 78595

*Heir of Maria Dolores Pena de Flores*

**Randy Lee Flores**

[REDACTED]  
St. Robert, Missouri 65584

*Heir of Maria Dolores Pena de Flores*

**Antonio Manuel Flores**

[REDACTED]  
Palmview Texas 78575

*Heir of Maria Dolores Pena de Flores*

**Felicia Miranda Flores**

[REDACTED]  
Uvalde, Texas 78801, *Heir of MDPdF*

**Jose Ramiro Flores**

[REDACTED]  
Edinburg, Texas 78541

*Heir of Maria Dolores Pena de Flores*

**Ricardo Romeo Flores**

[REDACTED]  
St. Robert, Missouri 65584

*Heir of Maria Dolores Pena de Flores*

**John Jeffery Flores**

[REDACTED]  
Pflugerville, Texas 78660

*Heir of Maria Dolores Pena de Flores*

**Idolinda Flores Gutierrez**

[REDACTED]  
Los Ebanos, Texas 78565

*Heir of Maria Dolores Pena de Flores*

<p><b>Mary Katherine Flores Ramirez</b> [REDACTED] Mesa, Arizona 85209 <i>Heir of Maria Dolores Pena de Flores</i></p>	
<p><b>Marisela Ramirez</b> [REDACTED] Sullivan City, Texas 78595 <i>Heir of Maria Dolores Pena de Flores</i></p>	
<p><b>Maria Del Rosario Flores Salinas</b> [REDACTED] Alton, Texas 78575 <i>Heir of Maria Dolores Pena de Flores</i></p>	
<p><b>Ruben Flores, III</b> [REDACTED] Richland, Missouri 65556 <i>Heir of Maria Dolores Pena de Flores</i></p>	
<p><b>Rene Flores, Jr.</b> [REDACTED] McAllen, Texas 78504 <i>Heir of Maria Dolores Pena de Flores</i></p>	
<p><b>Matias Flores, Jr.</b> [REDACTED] Mission, Texas 78573 <i>Heir of Maria Dolores Pena de Flores</i></p>	
<p><b>Gilberto Flores, Jr.</b> [REDACTED] Mission, Texas 78573 <i>Heir of Maria Dolores Pena de Flores</i></p>	
<p><b>Gustavo Flores, Jr.</b> [REDACTED] Sullivan City, Texas 78595 <i>Heir of Maria Dolores Pena de Flores</i></p>	
<p><b>Ricardo G. Flores</b> [REDACTED] Edinburg, Texas 78541 <i>Heir of Maria Dolores Pena de Flores</i></p>	

<p><b>Maribel J. Jimenez</b> [REDACTED] Seguin, Texas 78155 <i>Heir of Maria Dolores Pena de Flores</i></p>	
<p><b>Aurora M. Flores Trigo</b> [REDACTED] Sullivan City, Texas 78595 <i>Heir of Maria Dolores Pena de Flores</i></p>	
<p><b>David Mathew Morin</b> [REDACTED] Edinburg, Texas 78542 <i>Heir of Maria Dolores Pena de Flores</i></p>	
<p><b>Noemi Munoz</b> [REDACTED] Mission, Texas 78572 <i>Heir of Maria Dolores Pena de Flores</i></p>	
<p><b>Noe Ruben Munoz</b> [REDACTED] Mission, Texas 78572 <i>Heir of Maria Dolores Pena de Flores</i></p>	
<p><b>Ema Lydia Munoz Duran</b> [REDACTED] Palmview, Texas 78572 <i>Heir of Maria Dolores Pena de Flores</i></p>	
<p><b>Elizandro Munoz, Jr.</b> [REDACTED] Harlingen, Texas 78552 <i>Heir of Maria Dolores Pena de Flores</i></p>	
<p><b>Patricia Ramirez Oviedo</b> [REDACTED] Sullivan City, Texas 78595 <i>Heir of Maria Dolores Pena de Flores</i></p>	
<p><b>Froilan Ramirez, III</b> [REDACTED] San Antonio, Texas 78250 <i>Heir of Maria Dolores Pena de Flores</i></p>	

<p><b>Robert Michael Valdez</b> [REDACTED] Edinburg, Texas 78539 <i>Heir of Maria Dolores Pena de Flores</i></p> <p><b>Richard Paul Valdez</b> [REDACTED] Edinburg, Texas 78539 <i>Heir of Maria Dolores Pena de Flores</i></p> <p><b>Jessica Cavazos</b> [REDACTED] Zapata, Texas 78076 <i>Heir of Maria Dolores Pena de Flores</i></p> <p><b>Arnoldo Javier Flores</b> [REDACTED] Zapata, Texas 78076 <i>Heir of Maria Dolores Pena de Flores</i></p> <p><b>Pablo (Paul) Villarreal, Jr.</b> <b>Hidalgo County Tax Assessor-Collector</b> 2804 S. Business Hwy 281 Edinburg, Texas 78539</p>	<p><b>RGV-MCS-1103</b> Property Id. 100907 Geographic Id. 10038-00-000-0336-00</p>
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